

UNITED STATES DISTRICT COURT

for the  
Eastern District of Washington

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Dec 20, 2019

SEAN F. MCAVOY, CLERK

UNITED STATES OF AMERICA

v.

JOSE MARIA LOPEZ ORDUNO

Case No. 4:19-mj-07168-MKD

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about December 17, 2019, in the county of Franklin in the Eastern District of Washington, the defendant(s) violated:

Code Section

21 U.S.C. § 841(a)(1), (b)(1)(B)(viii)

Offense Description

Possession with Intent to Deliver 5 Grams or More of  
actual (pure) Methamphetamine

This complaint is based on these facts:

☒ Continued on the attached sheet.



Complainant's signature

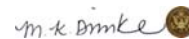
TFO John D'Aquila, Federal Bureau of Investigation

Printed name and title

☐ Sworn to before me and signed in my presence.

☒ Sworn to telephonically and signed electronically.

Date: 12/20/2019



Judge's signature

Mary K. Dimke, United States Magistrate Judge

Printed name and title

City and state: Yakima, Washington

Richland (mkd)

*AUSA Assigned: SAV*

*County of Investigation: Franklin*

*In Re: Criminal Complaint for JOSE MARIA LOPEZ ORDUNO*

**AFFIDAVIT**

STATE OF WASHINGTON )

) ss

Franklin County )

I, John M. D'Aquila, a Task Force Officer with the FBI Southeast Washington Safe Streets Task Force, being duly sworn, deposes and states:

**INTRODUCTION**

1. I am currently a full time Detective for the Pasco Police Department, and have been so employed since December 2014. I was a Correctional Officer for the Franklin County Corrections Center for approximately a year. In November 2014, I graduated the Washington State Criminal Justice Training Commission's 160 hour Correctional Officer Academy in Burien, Washington.

2. In May 2015, I graduated the Washington State Criminal Justice Training Commission's 720 hour Basic Law Enforcement academy in Spokane, Washington. In December 2017, I was selected as a TFO with FBI Southeast Washington Safe Streets Task Force (SEWSSTF). Since January 2018, I have

participated in the investigations of several criminal enterprises involved in drug trafficking, money launders and firearm violations at the State and Federal level.

3. In my experience as a law enforcement officer, I have participated in numerous investigations, which have resulted in the issuance and executions of search warrants resulting in the seizure of drugs and other property, and the arrest and convictions of individuals. My duties as a TFO for the FBI include the investigation of all violations of Federal law and related criminal activities, including, but not limited to, drug offenses as contained within Title 21 of United States Code.

4. Your Affiant has knowledge of the following information based on his own observations and investigation as well as information that he has learned from other law enforcement officers, to include but not limited to, verbal discussions with other law enforcement officers named in this Affidavit. Because this affidavit is being submitted solely for establishing probable cause to obtain warrants, your affiant has not included each and every fact known to your affiant concerning this investigation. Your affiant has only set forth facts necessary to support the authorization of the requested arrest warrants and criminal complaint.

## **BACKGROUND**

5. In November 2019, three Cooperating Witnesses (CW), hereby known as CW1, CW2, and CW3<sup>1</sup> contacted the Southeast Washington Safe Streets Task Force advising Jose Maria Lopez ORDUNO, hereby known as ORDUNO, lead a Drug Trafficking Organization (DTO) operating in the Eastern District of Washington. All three witnesses disclosed they had knowledge of this based upon their own involvement in assisting ORDUNO in the transportation/distribution of methamphetamine and heroin. CW2 also stated the organization was involved in the distribution of Fentanyl laced pills known as Mexis. CW1, CW2 and CW3 came in to provide information together because they reported they were afraid as they currently owed a drug debt to the organization. Although they came into speak to law enforcement together, they were separated during the interviews. No promises were made to any of them however, all three are illegally in the United States. As a result, your affiant through the Task Force, has agreed to assist them in obtaining temporary lawful status based upon their cooperation.

6. CW1, CW2 and CW3 also identified ORDUNO's wife Angelica Viviana SANCHEZ, hereby known as SANCHEZ as being involved in the

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<sup>1</sup> CW1, CW2 and CW3 do not have any misdemeanor or felony convictions. CW3 does have a pending felony matter however, there is no consideration being provided based upon CW3's cooperation.

organization. The cooperating witnesses all advised that SANCHEZ transported distribution quantities of narcotics for her husband.

7. On December 17th, 2019, CW1 advised members of SEWSSTF that ORDUNO was at the Franklin County Courthouse in Pasco to take his wife, SANCHEZ, to court. CW1 further advised that ORDUNO had approximately 1 kilogram of narcotics with him inside of their vehicle, which CW1 identified as a white-colored Chevy Equinox. FBI task force members conducted surveillance at the courthouse and located the vehicle. Task Force Members positively identified ORDUNO as the driver, along with one male passenger later confirmed to be CW2.

8. The SEWSSTF requested assistance from the Pasco Police Department based upon the above information. As a result, Det. Andrew Corral along with his K9 agreed to assist in conducting a traffic stop of the white-colored Chevy Equinox. During the course of the traffic stop, CW2 and ORDUNO were separated. CW2 was advised of his Miranda rights in Spanish and agreed to waive them. CW2 was then interviewed by a Spanish speaking officer. CW2 admitted there were would be firearms and narcotics in the vehicle. Based upon this admission, Det. Corral applied his K9 Ezra to the exterior of the vehicle. Det. Coral reported that Ezra gave a positive alert to the presence of the odor of

narcotics around the front driver side door. Det. Corral applied for and obtained a state search warrant granted by Superior Court Judge Jacqueline Shea-Brown.

9. Upon execution of the search warrant, a black backpack was located in the trunk. Inside the backpack was a firearm (this firearm was later confirmed to be reported stolen), several ounces of what later tested positive for methamphetamine, approximately 9 gross grams of what later tested positive to be cocaine, a drug ledger and identification for ORDUNO. In addition, located on top of the back seat was a plastic baggie that contained another approximately one ounce of suspected methamphetamine and a small user quantity of suspected cocaine in the driver side door. Also located secreted inside of the driver's seat, close to the headrest, were two additional firearms (one of these firearms was also confirmed to be reported stolen) hidden inside a sock taped to the inside.

ORDUNO was placed under arrest at that time. During a search incident to arrest. Officers located approximately \$1500 cash on his person and an additional \$1000 hidden inside his sock. ORDUNO was booked into Franklin County Corrections Center and CW2 was released.

10. The following day (December 18<sup>th</sup>, 2019), one of the cooperating witnesses, CW2, advised that SANCHEZ was at the Country Cabin Motel at 711 2<sup>nd</sup> Ave SW, Room #16, Quincy, WA. CW2 advised that SANCHEZ contacted CW2 because she needed a ride after her husband was arrested. CW2 advised that

she/he witnessed SANCHEZ with approximately 1 kilogram of methamphetamine and heroin. CW2 advised they also observed a large quantity of blue pills your affiant believed were likely fentanyl laced pills. CW2 stated she/he observed SANCHEZ place the narcotics in a hard box under the bed. CW2 advised SANCHEZ was collecting drug debts and was actively trying to sell as much of the remaining narcotics as possible to bail her husband out of jail. CW2 provided a description of where SANCHEZ was located and further advised SANCHEZ would be going to the Franklin County Court house with her child and the collected money shortly.

11. Members of the FBI SEWSSTF were able to locate SANCHEZ based upon information provided by CW2. Your affiant applied for and was granted a search warrant for 711 2<sup>nd</sup> Ave SW, #16, Quincy, WA by Superior Court Judge Jacqueline Shea-Brown.

12. While your affiant was obtaining the search warrant for the hotel room, other members of the Task Force requested the assistance of Kennewick Police Department K9 Officer Isaac Merkl and his K9. Officer Merkl utilized the assistance of a Spanish speaking Franklin County Sheriffs Officer Deputy to translate. Ofc. Merkl contacted SANCHEZ, the passenger in the vehicle, who stated that she had just come from Outlook, WA. SANCHEZ stated they had just dropped off her daughter in Outlook as she had to work. She then admitted she did

not have a job and that her sister drove the daughter to Outlook and that the sister had to work. SANCHEZ stated she had \$2,000 on her person and showed Ofc. Merkl a stack of US currency. Ofc Merkl asked if narcotics were present in the vehicle and SANCHEZ stated that they did not have any narcotics in the vehicle. Ofc Merkl deployed K9 Bear to the exterior of the vehicle and K9 Bear did not alert to the odor of narcotics. All parties were then released from the traffic stop.

13. Your affiant contacted the manager of the location and learned that the room was in the name of SANCHEZ. The manager reported that SANCHEZ had been a resident at the hotel since November 30, 2019. Your affiant was advised that she was originally in another room but then moved into room #16. A copy of SANCHEZ's license was taken at the time of the rental and supplied to your affiant.

14. At approximately 2:15PM, your affiant served the search warrant on 711 2<sup>nd</sup> Ave SW, #16, Quincy, WA. A black safe was located under the bed in the main room. Inside the safe was 7 packages of a crystal substance suspected to be methamphetamine (1,209.98 grams total package weight), a package with a black tar substance suspected to be heroin (39.11 grams tpw), approximately 100 light blue pills that are suspected to contain fentanyl (21.60 grams tpw), and four vehicle titles. Two of the vehicle titles were in the name of SANCHEZ. One of the vehicle titles was to the car her husband was stopped and arrested with the day



prior. A shard of the suspected methamphetamine was later field tested and resulted presumptive positive for methamphetamine.

15. In the main room on the night stand on the south side of the bed dominion for SANCHEZ was located along with three pistol magazines.

16. On the south wall of the main room was a desk. On the desk was dominion for ORDUNO, a box of shotgun shells, a box of 9mm ammunition, and a soft case. Within the soft case was a .22 caliber LR Colt Woodsman. Under the desk was a yellow plastic bin that contained a Palmetto Rifle PA-15 rifle lower and a magazine covered in tape and paper. Between the desk and the east wall was a void space. Towards the bottom of the space was a shoe box containing two packages of a crystal substance, suspected to be methamphetamine, in plastic wrapping (984.56 ggrams).

17. In the main room along the east wall was a dresser. Inside the dresser drawer was a blue pistol case. Inside the blue pistol case was loose white powder and a package of suspected fentanyl laced pills. For safety concerns the box was closed and not further examined. A black bag was located in the drawer that contained a clear plastic bag with suspected fentanyl laced pills. The clear plastic bag with the pills had a slip of white paper that gave a price of 100 for \$1,200. A blue rag was located a dresser drawer that contained a plastic bag with a crystalline substance suspected to be methamphetamine (244.57 grams tpw). A clear plastic

bag was located in the drawer containing a black tar substance that was suspected to be heroin (63.88 grams tpw). Seven miscellaneous firearm magazines were also located inside the dresser drawer and one firearm magazine was located on top of the dresser drawer.

18. Based upon your affiants training and experience as well as numerous methamphetamine seizures in this district that have been confirmed through the DEA lab, your affiant knows that the purity of methamphetamine seized here is typically 90 percent or higher. Therefore, the several ounces seized during the traffic stop will contain well over 5 grams of actual methamphetamine.

### **CONCLUSION**

19. Based upon the above facts, your Affiant believes probable cause exists to charge Jose Maria Lopez Orduno, date of birth 11/24/19XX with Possession with the Intent to Distribute 5 grams or more of actual methamphetamine based upon the evidence located and seized during the search warrants.


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I declare under penalty of perjury that the statements ~~above~~ are true and correct to the best of my knowledge and belief.

  
\_\_\_\_\_  
John M D'Aquila  
FBI Task Force Officer

Sworn to telephonically and signed electronically this 20th day of December, 2019.

  
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Honorable Mary K. Dimke  
United States Magistrate Judge